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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT : Henry E. YOUNG et al.
SERIAL NO. : 09/668,508 EXAMINER : T.N. Ton
FILED : September 22, 2000 ART UNIT : 1632
FOR : PLURIPOTENT EMBRYONIC-LIKE STEM-CELLS,
COMPOSITIONS, METHODS AND USES THEREOF

Certificate of Mailing Under 37 CFR 1.8

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David A. Jackson, Reg. No. 26,742
(Name of Registered Rep.)

Martha Bussanich 8/30/02
(Signature and Date)

RESPONSE TO REQUIREMENT FOR RESTRICTION
UNDER 35 U.S.C. §121

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

Dear Sir:

Responsive to the Office Action dated July 30, 2002, issued in connection with the above-identified Application, which is now due for response on August 30, 2002, applicants request consideration of the following:

REMARKS

By this Office Action, the Examiner has required restriction to one of the following inventions under 35 U.S.C. §121:

- Group I. Claims 1-3, 5, 8-17, drawn to pluripotent embryonic-like stem cells, methods of isolating pluripotent embryonic-like stem cell lines, classified in class 435, subclass 325, for example.
- Group II. Claim 4, drawn to a pluripotent endodermal stem cell, classified in class 435, subclass 325, for example.
- Group III. Claim 6, drawn to a pluripotent ectodermal stem cell, classified in class

435, subclass 325, for example.

- Group IV. Claim 7, drawn to an endodermal, ectodermal, or mesodermal lineage committed cell, classified in class 435, subclass 325, for example.
- Group V. Claims 18-20, drawn to methods of screening agents which are lineage commitment factors, classified in class 435, subclass 4, for example
- Group VI. Claims 21-23, drawn to methods for screening agents which are proliferation factors, classified in class 435, subclass 4, for example.
- Group VII. Claims 24-32, drawn to methods of cellular transplantation, and pharmaceutical compositions for cellular transplantation, classified in class 424, subclass 93.1, and class 514, subclass 44, for example.

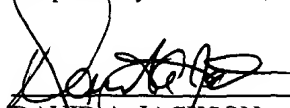
Responsive to the Requirement for restriction, Applicants elect to prosecute the invention of Group I, with traverse, Claims 1-3, 5, 8-17, which are drawn to pluripotent embryonic-like stem cells and methods of isolating pluripotent embryonic-like stem cell lines.

Applicants continue to submit that the Requirement for Restriction should be reconsidered or modified by consolidation rather than expansion of the number of claim groups provided. As stated previously, the conjoint examination of one or more of the claim groups would not present an undo burden on the Examiner as the relevant prior art for the most part, should be commonly classified and consequently found.

No fees are believed to be necessitated by the foregoing Response. However, should this be erroneous, authorization is hereby given to charge Deposit Account No. 11-1153 for any underpayment, or credit any overages.

In view of the above, withdrawal of the Requirement for the Restriction is requested, and an early action on the merits of the Claims is courteously solicited.

Respectfully submitted,



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